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January 22, 2025

Via Email

Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl St.
 New York, NY 10007-1312
Courtroom: 12D
Chambers Email: CronanNYSDChambers@nysd.uscourts.gov
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Re: *Raven Production Management Group LLC v. Phantom Labs, Inc., Matthew Lupton, and Sean P. Diddy Combs, Case No. 24 Civ. 2670 (JPC)*

Dear Judge Cronan,

Pursuant to the Court's order dated January 8, 2025 (ECF No. 50), Plaintiff respectfully submits this status letter addressing Defendant Matthew Lupton's participation in the case and proposing next steps regarding Plaintiff's claims against him.

A. Status of Defendant Matthew Lupton's Participation

Defendant Matthew Lupton was personally served with the summons and complaint on April 29, 2024 (ECF No. 22) but has not responded or otherwise appeared in this action. To date, Plaintiff has not received direct communication from Mr. Lupton. All discussions regarding his participation have been through Gabriel Fraboni, a representative of Phantom Labs, Inc., who had expressed concerns about potential adverse effects on Mr. Lupton's visa status due to this litigation. Shortly after service, Mr. Fraboni reached out to Plaintiff's counsel in an apparent attempt to negotiate a settlement on Mr. Lupton's behalf. Despite these discussions, no resolution was reached, and there has been no indication that Mr. Lupton intends to defend against this suit or otherwise engage in the litigation process.

B. Status of Settlement Discussions with Phantom Labs and Fraboni

In parallel, Plaintiff continues efforts to resolve matters with Phantom Labs and Mr. Fraboni in the bankruptcy proceedings currently pending in the Central District of California (Case No. 2:24-bk-17144). However, progress on these discussions has been slow, and resolution appears increasingly unlikely. Phantom Labs has not fulfilled prior commitments, including a promised payment of \$100,000, which has further eroded trust in the negotiations.

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C. Proposed Next Steps

Given Mr. Lupton's lack of participation and the absence of meaningful progress in settlement discussions, Plaintiff intends to proceed with seeking a default judgment against Mr. Lupton. Plaintiff will prepare and file the necessary motion papers promptly.

Plaintiff remains committed to resolving these matters efficiently and in accordance with the Court's directives. Should the Court require any additional information or further clarification, Plaintiff will provide it promptly.

Respectfully,



Thomas J. Eisweirth
Managing Member

TJE
cc: Raven Production Management Group
Chris Berends